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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

U.S. EQUAL EMPLOYMENT  
 OPPORTUNITY COMMISSION,

Plaintiff,

vs.

TESLA, INC.,

Defendant.

Case No.: 3:23-cv-04984-JSC

**STIPULATION AND [PROPOSED]  
 ORDER EXTENDING DEADLINE TO  
 SUBMIT SECOND PROPOSED ESI  
 PROTOCOL**

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1 Plaintiff U.S. Equal Employment Opportunity Commission (EEOC) and Defendant Tesla,  
 2 Inc. (Tesla) (collectively, the Parties) jointly submit this request in accordance with Local Rules 6-2  
 3 and 7-12 for the Court to extend by two weeks the deadline to submit a Second Proposed Protocol  
 4 Regarding Electronically Stored Information, in accordance with Pretrial Order No. 2, (ECF 65).

5 Plaintiff EEOC filed the Complaint in this matter on September 28, 2023. (ECF 1) On  
 6 September 26, 2024, following a case management conference, the Court issued Pretrial Order No.  
 7 2: Initial Discovery Period Deadlines (Pretrial Order No. 2) (ECF 65). Pretrial Order No. 2 set  
 8 November 22, 2024, as the deadline for the parties to submit a Second Proposed Protocol Regarding  
 9 Electronically Stored Information (Second ESI Protocol). *Id.*

10 There is good cause for the Court to extend this deadline by two weeks. The Parties have  
 11 been unable to finalize the Second ESI Protocol within the time allotted but anticipate doing so with  
 12 a modest amount of additional time. A two-week extension (to December 6, 2024) would enable the  
 13 parties to submit a second ESI Protocol or a dispute concerning the protocol ahead of the next Case  
 14 Management Conference, which is scheduled for December 12, 2024 (ECF 65). This extension,  
 15 furthermore, would not disrupt any other deadlines in this case.

16 Accordingly, the Parties respectfully request the Court enter an order extending the deadline  
 17 to submit the Second Stipulated Order Regarding ESI to December 6, 2024.

### 18 STIPULATION

19 WHEREAS, the Parties believe that good cause exists to extend the deadline to submit a  
 20 Second ESI Protocol by two weeks, as the Parties have been unable to complete it within the initial  
 21 allotted time;

22 WHEREAS, this extension would not disrupt any other deadlines in this case;

23 WHEREAS, the only previously requested continuance or extension to the Court's deadlines,  
 24 was to vacate the Initial Case Management Conference until after the Court ruled on Tesla's Motion  
 25 to Stay (ECF 23);

26 //

27 //

28 //

1           THEREFORE, it is hereby stipulated and agreed that, subject to Court approval, the deadline  
2 to submit the Second ESI Protocol is extended to December 6, 2024.

3 IT IS SO STIPULATED.

4 Respectfully submitted,

5 Dated: November 22, 2024

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**LOCAL RULE 5-1(I)(3) ATTESTATION**

I, James H. Baker, am the ECF User whose ID and password are being used to file the foregoing document. In compliance with Local Rule 5-1(i)(3), I hereby attest that counsel for Defendant concurred in this filing on November 22, 2024.

Dated: November 22, 2024

BY: /s/ James H. Baker  
James H. Baker

**[PROPOSED] ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED THAT:

The deadline to submit a Second Proposed Protocol Regarding Electronically Stored Information in accordance with Pretrial Order No. 2 (ECF 65) is extended to December 6, 2024.

Dated:

HON. JACQUELINE S. CORLEY  
United States District Court Judge